

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

VINCENT TURNER,

Petitioner,

vs.

HOWARD SKOLNIK, et al.,

Respondents.

Case No. 3:09-cv-00219-RCJ-RAM

**ORDER**

On June 6, 2016, petitioner filed a proper-person motion to withdraw his petition (ECF No. 105). On June 14, 2016, the court struck that motion because counsel represents petitioner, and petitioner must make all his motions through counsel. ECF No. 107. On August 24, 2016, petitioner, now through counsel, filed a motion to dismiss without prejudice (ECF No. 108). Petitioner then filed a motion for withdrawal of counsel and leave to proceed in proper person (ECF No. 109), a motion to strike pleading (ECF No. 110), and a motion for permission to file proper person pleadings (ECF No. 111). On September 9, 2016, counsel supplemented the motion with a declaration by her assistant that petitioner did indeed want the petition withdrawn. ECF No. 112.

The most charitable interpretation that the court can give to petitioner's actions is that he does not understand the words that he uses. Petitioner asked in his proper-person motion to "withdraw" the petition. Withdrawal of the first amended petition (ECF No. 15 and 81) does not mean that some earlier petition becomes the operative petition. It means that this case is dismissed.

Under these circumstances, the court will deny the motion for voluntary dismissal. The court also will deny petitioner's proper-person motions. The remaining grounds in the first amended

1 petition are fully briefed and awaiting decision. Further filings are not necessary, and the interests of  
2 justice would not be well served by removing counsel now.

3 IT IS THEREFORE ORDERED that the motion to dismiss without prejudice (ECF No. 108)  
4 is **DENIED**.

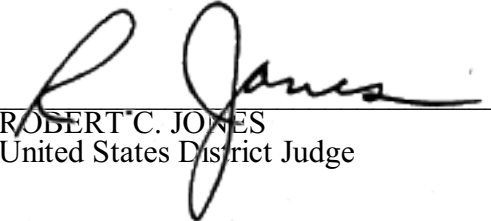
5 IT IS FURTHER ORDERED that the motion for withdrawal of counsel and leave to proceed  
6 in proper person (ECF No. 109) is **DENIED**.

7 IT IS FURTHER ORDERED that the motion to strike pleading (ECF No. 110) is **DENIED**.

8 IT IS FURTHER ORDERED that the motion for permission to file proper person pleadings  
9 (ECF No. 111) is **DENIED**.

10 DATED: March 30, 2017.

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ROBERT C. JONES  
United States District Judge